

Mitchell, Brian

From: Mitchell, Brian
Sent: Tuesday, May 23, 2017 9:33 AM
To: 'Arnold, Doug'
Subject: letter from IDNR attached
Attachments: Scanned from a Xerox multifunction device.pdf

Brian Mitchell
RCRA Corrective Action Officer
EPA Region 7
AWMD/WRAP
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RCRA 05/23/2017



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STATE OF IOWA

TERRY E. BRANSTAD, GOVERNOR
KIM REYNOLDS, LT. GOVERNOR

DEPARTMENT OF NATURAL RESOURCES
CHUCK GIPP, DIRECTOR

May 15, 2017

DON LININGER, CHIEF
WASTE REMEDIATION AND PERMITTING BRANCH
US EPA REGION 7
11201 RENNER BLVD.
LENEXA, KS 66219

Re: Electrolux Facility, Jefferson, IA; 2020 Corrective Action Universe,
EPA ID# IAD0470555140

Dear Don:

The Iowa Department of Natural Resources (DNR) has recently received an application to enroll the above-referenced site in the Iowa Land Recycling Program.

Our understanding from the applicant is that the EPA has approved such a request, and in a recent conversation with you, DNR contaminated site staff were surprised to learn that you do not consider this site to be within the RCRA Corrective Action Universe. A review of DNR's records shows that as recently as 2013, EPA notified Electrolux's counsel that the site was part of the 2020 Corrective Action Universe because the EPA had deemed the site appropriate to address using the RCRA Corrective Action Program. Since then, site testing has shown continued significant exceedances of standards for various pollutants in the groundwater. Additionally, recent sampling conducted by the City of Jefferson suggests that contamination from the site is migrating toward the City's water supply wells. As such, DNR is requesting a formal statement from EPA addressing whether, and why, the site is no longer considered appropriate for the RCRA Corrective Action Program.

The current MOU between DNR and EPA would appear to prohibit the enrollment of this site in the LRP due to the significant hazardous contamination remaining on the site. Even if the site were enrolled in the LRP program, DNR would require additional remediation at the site including completion of mapping of the contamination plume and treatment. DNR cannot simply allow the site to be capped and fenced off. Additionally, if the remediation of the site is ineffective under the LRP, the EPA would need to re-establish RCRA Corrective Action oversight.

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As such, we would request that you provide an explanation for the EPA's apparent decision to remove this site from the Corrective Action universe.

Sincerely,

A handwritten signature in black ink, appearing to read "David G. Scott", with a long horizontal line extending to the right.

David G. Scott, Attorney
Legal Services Bureau
Iowa Department of Natural Resources
Tel.: 515-725-8239
Email: David.Scott@dnr.iowa.gov

CC: Amie Davidson, Supervisor, Contaminated Sites Section
Greg Fuhrmann, Land Recycling Program Coordinator
Dan Cook, Contaminated Sites Section